

PATENT APPLICATION  
Docket No.: 2555.2.1

**DECLARATION, POWER OF ATTORNEY AND PETITION**

I, Peter Colosi, declare: that I am a citizen of the United States of America; that my residence and post office address is 2016 Encinal Avenue, Alameda, California; that I verily believe I am the original, first, and sole inventor of the subject matter of the invention or discovery entitled HIGH-EFFICIENCY WILD-TYPE-FREE AAV HELPER FUNCTIONS, for which a patent is sought and which is described and claimed in the specification attached hereto; that I have reviewed and understand the contents of the above-identified specification, including the claims; and that I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Section 1.56 of Title 37 of the Code of Federal Regulations.

I hereby claim the benefit under Section 120 of Title 35 of the United States Code of the earlier filed pending applications, Serial Nos. 09/107,708, 08/688,648, and Patent No. 5,622,856, filed June 30, 1998, July 29, 1996, and issued April 22, 1997, respectively; and, insofar as the subject matter of each of the claims of this application is not disclosed in the earlier filed pending application in the manner provided by the first paragraph of Section 112 of Title 35 of the United States Code, I acknowledge the duty to disclose material information, as defined in Section 1.56(a) of Title 37 of the Code of Federal Regulations, which occurred between the filing date of the earlier filed application and the filing date of this application.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as my attorneys and/or patent agents

CRAIG J. MADSON, Registration No. 29,407  
L. CRAIG METCALF, Registration No. 31,398  
EVAN R. WITT, Registration No. 32,512  
A. JOHN PATE, Registration No. 36,234  
GARY D.E. PIERCE, Registration No. 38,019  
DAVID B. FONDA, Registration No. 39,672  
JOHN R. THOMPSON, Registration No. 40,842  
BRIAN C. KUNZLER, Registration No. 38,527  
BARTON W. GIDDINGS, Registration No. 41,036  
HAL D. BAIRD, Registration No. P-42,284

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. All correspondence and telephonic communications should be directed to:

Barton W. Giddings  
MADSON & METCALF  
950 Wells Fargo Plaza  
170 South Main Street  
Salt Lake City, Utah 84101

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Alameda, California, this 8/26 day of  
(City) (State)

, 1998.

Inventor



Peter Colosi  
2016 Encinal Avenue  
Alameda, California

Atty Dkt No. 0800-0005.03  
1001.CIP3.1  
PATENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on October 3, 2000.

10/3/00 Katherine K. Drane  
Date Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

COLOSI

Serial No.: 09/450,083

Group Art Unit: 1636

Filing Date: November 29, 1999

Examiner: Unassigned

Title: HIGH-EFFICIENCY WILD-TYPE-FREE AAV HELPER FUNCTIONS

**REVOCATION OF POWER OF ATTORNEY AND  
NEW POWER OF ATTORNEY**

Assistant Commissioner for Patents  
Washington, D.C. 20231

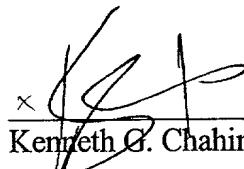
Sir:

I, Kenneth G. Chahine, Vice President, Business Development, of the assignee, Avigen, Inc. by virtue of an assignment recorded at Reel 010434 and Frame 0152 on November 29, 1999 hereby revoke all powers of attorney heretofore existing in the above-identified application and hereby appoint Kenneth G. Chahine (Reg. No. 42,398), M. Christina Thomson (Reg. No. 43,190) of Avigen, Inc., and Roberta L. Robins (Reg. No. 33,208), Gary R. Fabian, Ph.D. (Reg. No. 33,875), Dahna S. Pasternak (Reg. No. 41,411) and Cathleen M. Rocco (Reg. No. 46,172) of Robins & Associates as our attorneys and agents to prosecute said application, and to transact all business in the Patent and Trademark Office connected therewith.

Atty Dkt No. 0800-0005.03  
USSN: 09/450,083  
PATENT

Please address all further communications to Roberta L. Robins at Customer No.  
20855.

Date: Sept 28, 2000

  
Kenneth G. Chahine, J.D., Ph.D.